

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Respondent,

v.

GERARD GALLANT,

Movant.

No. 2:93-cr-0233 GEB KJN P

ORDER

Movant, a federal prisoner proceeding through counsel, filed a second or successive motion to vacate, set aside, or correct his sentence pursuant to 28 U.S.C. § 2255. (ECF No. 258.) On January 25, 2017, the United States Court of Appeals for the Ninth Circuit authorized the filing of the protectively-filed motion to be deemed filed as of June 6, 2016. (ECF No. 262.)

Because movant may be entitled to the requested relief if he can establish a violation of his constitutional rights, respondent is directed to file an answer within thirty days of the effective date of this order. See Rule 4, Rules Governing Section 2255 Proceedings.

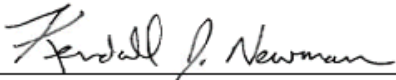
Respondent shall include with the answer any and all transcripts or other documents relevant to the determination of the issues presented in the motion. Rule 5, Rules Governing Section 2255 Proceedings. Movant's traverse, if any, is due on or before thirty days from the date respondent's answer is filed.

///

1 The Clerk of the Court shall serve a copy of this order, together with a copy of movant's  
2 motion, on the United States Attorney or his authorized representative.

3 Dated: February 15, 2017

4  
5 gall0233.206

  
KENDALL J. NEWMAN  
UNITED STATES MAGISTRATE JUDGE